

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

FRANCISCO LORA,

Defendant.

No. 13-cr-817 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

On March 30, 2022, the Court sentenced Defendant Francisco Lora to 96 months' imprisonment following his guilty plea to one count of conspiracy to distribute narcotics in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846, and one count of distributing and possessing with intent to distribute 100 grams and more of mixtures and substances containing heroin in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B). (Doc. No. 90.) Lora thereafter appealed the Court's judgment and sentence. (Doc. No. 92.) On December 5, 2022, the Court received Lora's *pro se* motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A) (Doc. No. 98), which the Court held pending resolution of Lora's appeal. The Second Circuit having affirmed Lora's judgment and sentence in November 2023 (Doc. No. 100), the Court will now address Lora's pending motion for compassionate release. Because over a year has passed since Lora's motion for compassionate release was submitted, IT IS HEREBY ORDERED THAT, in the event that Lora would like to amend his pending motion for compassionate release to include any new or additional information, he shall submit any such amended motion by January 8, 2024.

The Court is additionally in receipt of Lora's *pro se* motion, dated November 16, 2023, for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(2), (Doc. No. 99), and the December 8, 2023 motion of the Federal Defenders requesting that the Court appoint CJA counsel to assist Lora

in investigating and pursuing this claim, (Doc. No. 102). IT IS HEREBY ORDERED THAT the Federal Defenders' motion to appoint counsel is GRANTED. A separate order appointing CJA counsel will issue forthwith. IT IS FURTHER ORDERED THAT, in the event that appointed CJA counsel intends to file an amended motion for a reduction in sentence on Lora's behalf, any such amended motion shall be filed by January 8, 2024; the government shall then respond to both pending motions by January 29, 2024; and Lora shall submit replies in support of his motions, if any, by February 26, 2024.

The Clerk of Court is respectfully directed to terminate the motion pending at Doc. No. 102 and mail a copy of this order to Defendant Francisco Lora.

SO ORDERED.

Dated: December 8, 2023
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation